

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HARLEYSVILLE PREFERRED
INSURANCE COMPANY,

Plaintiff,

**MEMORANDUM OPINION
AND ORDER**

18-CV-08306 (PMH)

v.

ALLSTATE PROPERTY AND CASUALTY
INSURANCE COMPANY, et al.,

Defendants.

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PHILIP M. HALPERN, United States District Judge:


Counsel for all parties appeared via telephone at 3:30 p.m. today. Oral argument was had on the record.

For the reasons indicated on the record and law cited therein, Plaintiff Harleysville Preferred Insurance Company's motion for reconsideration (Doc. 48) is DENIED. In light of the Court's rulings, and the discussion with counsel on the record, Defendants Sun Dal Kim and Sun Kim Cleaners, Inc. (the "Kim Defendants") shall file an order and stipulation of dismissal of their cross-claim against Defendant Allstate Property and Casualty Insurance Company without prejudice by 5:00 p.m. on May 28, 2021. Counsel for the Kim Defendants shall transmit his itemized billing statements to Plaintiff's counsel by close of business today. Counsel for Plaintiff and for the Kim Defendants shall meet and confer this week and advise the Court by 5:00 p.m. on May 28, 2021 by letter to be filed by the Kim Defendants' counsel of the status of settlement of the extant counterclaim. If the parties are unable to settle, the Kim Defendants' pre-motion letter and Rule 56.1 Statement, pursuant to the Court's Individual Practices, shall be filed by June 24, 2021. See transcript.

The Clerk of the Court is respectfully directed to terminate the pending motion (Doc. 48).

SO ORDERED:

Dated: White Plains, New York
May 25, 2021



Philip M. Halpern
United States District Judge